

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BKB PROPERTIES, LLC,

Plaintiff,

v.

SUNTRUST BANK,

Defendant.

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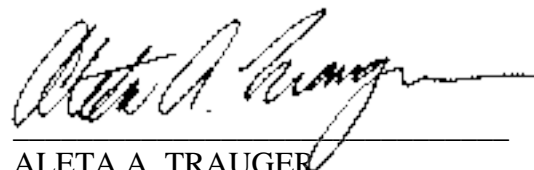
**Case No. 3:08-cv-00529
Judge Trauger**

ORDER

For the reasons expressed in the accompanying memorandum, the Motion to Dismiss filed by the defendant SunTrust Bank is **GRANTED** with respect to the plaintiff's breach of contract, libel of title, and Tennessee Consumer Protection Act claims and **DENIED** with respect to the plaintiff's fraud claim.

It is so Ordered.

Entered this 2nd day of March 2009.



ALETA A. TRAUGER
United States District Judge